

If the Examiner is relying upon the teachings of *Kobayashi et al.*'s Fig. 1 to support his rejection under 35 U.S.C. § 103(a), it is respectfully submitted that nowhere within the discussion of Fig. 1 does *Kobayashi et al.* teach a computer readable recording medium in which a program is recorded to cause a computer to operate means for time-controlling a position of each sound independently. As such, since the Examiner has failed to provide a reference teaching this element of claim 10, the Examiner has failed to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a). As such, it is respectfully submitted that claim 10 is patentable over *Kobayashi et al.*

With regard to the Examiner's rejection of claims 19 and 27-28 under 35 U.S.C. § 103(a), it is respectfully submitted that the Examiner has failed to provide any support in his rejection of claims 19 and 27-28 in lieu of providing citations in the *Kobayashi et al.* reference. It is respectfully submitted that nowhere in *Kobayashi et al.* is "means for modifying a presentation status of the presentation means according to a predetermined condition" taught. Based upon the Examiner's failure to provide any citation to the *Kobayashi et al.* reference, including the fact that *Kobayashi et al.* does not teach this feature as recited in claim 19, it is respectfully submitted that the Examiner has failed to establish a *prima facie* case of obviousness with regard to claims 19 and 27-28. Should the Examiner maintain his rejection of these claims, it is respectfully requested that the Examiner provide specific citations within the *Kobayashi et al.* reference teaching or suggesting this feature.

### **CONCLUSION**

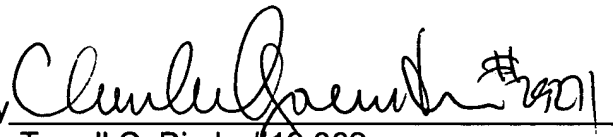
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg.

No. 52,327) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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